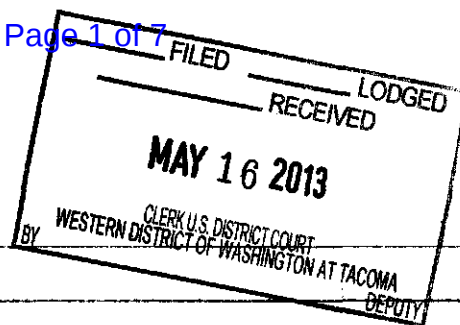




12-CR-05039-REQ

District Court
Western District of Washington

UNITED STATES OF AMERICA

v

KENNETH WAYNE LEARNING, et al

Kenneth Wayne, Real
Party in Interest

REGISTRY No.

CR12-5039 RBL

DISCOVERY REQUEST
andOBSERVATIONS RE:
PRESENTENCE INVESTIGATION
REPORTKing County
Washington republic

} VERIFIED

I. DISCOVERY REQUEST

Kenneth Wayne, the Real Party in Interest requests the parties acting as/for the Plaintiff to provide all discovery as referenced by Rule 16, and with extra attention to subsections (2)(1)(E), and inclusive of all Brady, Giglio, and Jencks material.

This request includes but not limited to:

- (1) all state and federal probation and pretrial services reports etc., as discussed in U.S. vs Alvarez, 358 F3d 1194 (9th Cir); United States vs Price, 566 F3d 900; United States vs Sudikoff, 36 FSupp 2d 1196;
- (2) any evidence that any prospective witness for plaintiff has engaged in any crime/criminal act whether or not resulting in conviction, see U.S. v. Price (9th Cir, 5/21/09);
- (3) Bruton material;
- (4) any and all Rule 16 material;
- (5) all Rule 404 (b) material;

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(6) name and contact information for all witnesses and/or informants ~~XXXX~~;

(7) any and all information in personnel files of Plaintiff witness(es) that tends to show or infer dishonesty, See U.S. v Henthorn, 931 F2d 29 (9th Cir.)

Note: Plaintiff has DUTY to check Personnel records and files

(8) Public Records documents, evidence, etc., including but not limited to exculpatory ~~document~~ and other potentially relevant information inclusive of that published in the REGISTRY of The District of Columbia, Recorder of Deeds, Documents 2012127914, 2012127907, 2012127854, 2012127810, 2012114776, 2012114586, 2012113593, 2012096074, 2012096047, 2012094309, 2012094308, 2012088865, 2012088851, 2012086794, 2012086802, 2012079322, 2012079290, 2012012675, and 2000043135;

(9) The REPORT published at WWW.Scribd.com / 118067922 / PARADIGM-DOCUMENT-FROM-THE-TREASURY-FINANCE-AG-INDUSTRIESTRASSE-21-CH-6055ALPNACH - DORF-SWITZERLAND;

NOTICE: Outside assistants of The Real Party in Interest have MAILED the above documents, described in RP 8 and 9, by Certified Mail to Kenneth Wayne and the Plaintiff's Agents (FDC-Serotec) have intercepted the mail and returned it to the Sender on at least Two occasions denying Kenneth Wayne the Self Authenticating, Public Record, Public Policy documents published pursuant to Pub. L. 88-243 as preserved and protected by said filings.

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Ref: KWL 201303
Ref: KW 2013-05-W
(Registry: 12-CV-1724-RAJ-JPA)

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II. re: PRESENTENCE INVESTIGATION REPORT

- 1) Aggrieved Party, Kenneth Wayne, makes this special visitation as and for himself and presents the following OBJECTIONS to the PSR prepared by aka: Steven M. McNickle:
 - (A) NOTICE: Pub. L. 88-243; Washington state equivalent as indexed at RCW 62A;
 - (B) The PSR, like the rest of the Record in CR12-5039, ~~purports~~ purports to make various claims of federal jurisdiction without any EVIDENCE of Venue (Place) jurisdiction as required by clearly established law and absent EVIDENCE of any lawfully binding contract, reference KWL201303, KWL 2013-05-W, and the Constitution for the Union of the several United States of America, Article I, Section 8, Cl. 17 & 18; Article IV, Section 3; Amendments IX and X; and acts of Congress indexed and summarized at 4 USC 110(e), 18 USC 7, 40 USC 3112; and Adams vs United States, 87 LEd 142;
 - (C) Absent proof of Jurisdiction the PSR is VOID AB INITIO, and cannot be relied on as having any merit or substance, as further set forth in the record of CR12-5039, and inclusive of David Carroll, Stephenson's Objections to the similar PSR prepared by the same Steven M. McNickle purporting to relate to David Carroll.
- 2) United States District Court, Western District of Washington (USDC-WW) REGISTRY CR12-5039, docket documents/instruments 188, 190, 191, 192, 228, 227, 224, 222, 220, 218, 217, 215, 212, 211, 209, 206, 205, 203, 198, incorporated herein by reference as if reproduced and fully set forth herein;
- 3) Aggrieved Party has received the PSR from Steven M. McNickles,

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but did not receive a Certified Copy of any "Notice of Acceptance" of federal jurisdiction as to any or all of the places relevant to CR12-5039, either as part of the PSR or otherwise;

4) The USDC-WW has NOTICE of the Pending Appeals as appear in the docket of CR12-5039, pending in the 9th Circuit, Registry/dockets 13-300110; 13-300096; etc., And the NOTICE and MOTION(s) to stay proceedings pending appeal and has REFUSED to comply with the RULES and CLEARLY ESTABLISHED LAW regarding the Stay of proceedings pending appeal;

5) The actors of the USDC-WW #CR12-5039 have also REFUSED to stay the proceedings as required by statute, Rule, and clearly established law upon challenge to jurisdiction by both real parties in interest, unless and until proof of jurisdiction is proved to the record;

6) The Aggrieved party, as evidenced by the record of CR12-5039, has repeatedly asserted the right to a remedy of not being subjected to the process of CR12-5039 unless and until EVIDENCE of every element of jurisdiction appears in the Record, and the USDC-WW #CR12-5039 has repeatedly REFUSED to comply with statute, Rule, and clearly established law requiring a stay of, and/or dismissal of the proceeding absent ~~proof~~ proof of jurisdiction appearing in the record;

7) ~~AKA~~ AKA: RONALD B LEIGHTON, d/b/a: USDC-WW #CR12-5039, has repeatedly "Denied" every good faith, due process, Petition for redress of grievance relating to the question of jurisdiction without any statement of any foundation in

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fact and/or law upon which to "Deny" such due process and evidencing the intent to proceed in a complete lack of good faith to operate and perpetuate the "legal enforcement systems, operating SLAVERY SYSTEMS" against the One People as defined in REGISTERED Document 2012079290 (supra)

8) ~~FOURTH~~ FURTHER: Assuming Arguendo that the foregoing deficiencies could be cured, the "1st Draft" of the PSR is defective as follows

- a) P 12/34 re "obstructive testimony" The PSR fails to identify the precise false/misleading testimony as well as the evidence upon which it could be concluded to be false/misleading;
- b) P 15, Grouping, Counts I, II, III should be grouped together;
- c) P 17, 6 points for USSC 2AG-161 for carrying a threat, is double counting, the base level by definition includes the conduct that has been "carried out";
- d) P 19, 3 points for "Gov't Victim", 3A1.2(b), Double counting, 18 USC 1521 by definition is re: "Gov't official" and Public Records Documents 2012127914, etc. (supra) have foreclosed the United States Federal Government so there can be NO "Gov't official" UNCONTROVERTED;
- e) P 57, 1 point for 10/19/00 "conviction"/dwls 3, not to be scored under 4A1.1, too old and NOT COUNTED under 4A1.2(c), AND not referenced in "history" provided per discovery request of 1/16/13;
- f) P 59, 1 point for 3/7/07 "conviction" (impersonation), not scored pursuant to 4A1.2(c), and no information about this purported offense, no record supplied;

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- a) IP 60, ~~CH~~ CH Score of II, proper score is I;
- h) IP 87, USSC Range of 70-87 months too high based on calculation errors, above, should be based on CH level I and at least 11 points lower and also lower for grouping / obstructive testimony / etc. not supported by record / PSR.
- i) IP 96, CH Score is not understated;
- j) IP 97, re: failure to take responsibility, This slander and defamation, character assassination is incorrect.

~~REDACTED~~ ADDITIONALLY, the entire matter violated Acts of Congress and clearly established law that the aggrieved party relied on in good faith as appears in the Records, inclusive of Administrative Procedures Act, Tort Claims Act, Regulations indexed in 28 CFR 14 & 15, and Substantive Jurisprudence of Published Decisions / Opinions of the Supreme Court and appellate Courts. FURTHER, The purported Victims TESTIFIED that at no time did they respond to, or otherwise controvert the Verified Claims, Presented by Notary Presentment / Protest regarding the alleged Wrongs in the claims process upon which anyone could determine that the claims contained any error or falsity, and also EVIDENCING a Condition of FAULT as defined by PUB. L. 88-243 and indexed at RCW 62A, ~~REDACTED~~ and the ENTIRE RECORD of and leading to CR12-5039 is EVIDENCE of Retaliation for having exercised the Protected Right to a Remedy Through Petition(s) for redress of Grievances through Constitutional, Statutory, ~~REDACTED~~

DISCOVERY / PSR, etc.
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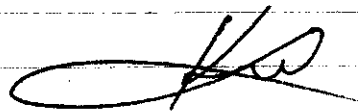
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regulation, and Clearly Established Jurisprudence
Procedures upon which the aggrieved party relied
in good faith.

The aggrieved party has since discovered that not
only were the procedures substantively correct, but were
specifically Accurately correct and That the Aggrieved
Party has been, and continues to be a victim of a massive,
worldwide, unlawful racketeering enterprise engaged in human
Trafficking Through private money systems, issuing, collection,
legal enforcement systems, operating slavery systems against the
one people as set forth in the Public Records Documents (supra)
and REPORTED as published at WWW.Scribd.com/118067922/
PARADIGM - DOCUMENT - FROM - THE - TREASURY - FINANCE - AG
- INDUSTRIESTRASSE - 21 - CH - DORF - SWITZERLAND;

Given this day, 6 May, 2013,
Under penalty of bearing false
Witness pursuant to the law
of the Creator, Almighty God,



Kenneth Wayne, DECLARANT
Aggrieved Party.